

REMARKS

This Amendment is being filed in response to the Office Action mailed October 22, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-2 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1-2 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the specification is objected to for a certain informality. In response, the specification has been

amended in accordance with the Examiner's suggestion. Accordingly, withdrawal of the objection to the specification respectfully requested.

In the Office Action, the Examiner indicated that references cited in the specification and the International Search Report have not been considered since they were not submitted with an Information Disclosure Statement. Submitted herewith is a copy of an Information Disclosure Statement (IDS), which is filed concurrently herewith along with the required fee and a copy of each document and foreign patent/application cited therein, in compliance with 37 CFR 1.97 and 1.98. Accordingly, please consider all art cited in the information disclosure statement.

In the Office Action, claims 3-4 are rejected under 35 U.S.C. §101 and §112, second paragraph. The cancellation of claim 3-4 renders this rejection moot.

In the Office Action, the Examiner indicated that claims 1-2 are allowed and that claims 5-6 would be allowable if rewritten in independent form. Applicants gratefully acknowledge the indication that claims 1-2 are allowed

In the Office Action, the Examiner provisionally rejected


claims 5-6 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 9 and 14 of copending Application No. 10/524,959. Without agreeing with the Examiner, and in the interest of advancing prosecution and expediting allowance of the present application, a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) or (d) is enclosed herewith. Accordingly, Applicants respectfully request that this ground for rejection be withdrawn and that claims 5-6 be allowed. Further, it is respectfully submitted that new independent claims 7 and 9 should also be allowed since they includes feature similar to allowed claims 1-2 or allowable claims 5-6. In addition, claims 8 and 10 should also be allowed at least based on their dependence from amended independent claims 7 and 9.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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Enclosure: New Abstract
Terminal Disclaimer
Copy of IDS

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